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Contra foes spread tales that Meese halted probe

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Congressional foes of Contra aid are targeting Attorney General Edwin Meese, probing charges that he meddled in a potentially embarrassing Miami investigation into alleged drug running by the Nicaraguan resistance.

The Justice Department has called the allegations "absurd" and claims that critical evidence being explored by congressional committees actually proves "beyond any possible doubt" that the administration backed the Miami probe.

The charges have been circulated by the staff of Sen. John Kerry and by former Ambassador to El Salvador Robert White, who now heads an anti-Contra think tank in Washington, sources said.

The controversy focuses on a detailed prosecutorial memo written last May by an assistant U.S. attorney in Miami handling the Contra investigation.

The memo, first obtained and described by The Washington Times in November, showed that the FBI in

Miami was pushing for an investigation into a bizarre web of charges, including Contra drug and gunrunning and a plot to assassinate a U.S. ambassador.

But Jeffrey Feldman, the prosecutor assigned to the case, recommended to Miami U.S. Attorney Leon Kellner that it was "premature" to take the case before a grand jury.

No grand jury was impaneled until November, by which time many of those named in the May memo were being mentioned as possible collaborators in schemes to supply guns to the Contras, a circumstance "embarrassing" to Miami authorities,

according to interviews at that time.

Both the House subcommittee on crime and the staff of Mr. Kerry, a Massachusetts Democrat, now are scrutinizing the delay between the FBI contention last spring that a grand jury should be called and the November swearing-in of the panel.

Mr. Meese conceded he had inquired about the case once in April 1986 while in Miami. Asked why last week, he said, "I wanted to see if he [Mr. Kellner] had such an investigation going on because I had seen it in the newspaper . . . I was mainly curi-

One assistant U.S. attorney in Miami says he overheard Mr. Kellner tell Mr. Feldman to "go slow" and has reported that to a House investigator.

Mr. Kellner has denied the allegation. His administrative assistant, Ana Barnett, said: "All of the principals will probably eventually describe what happened in that meeting. There will be five people who will testify, and four of them will say there was never any mention of 'going slow.' It'll be a credibility thing."

She said that Mr. Kellner had not been asked to appear before a congressional panel, but "we anticipate that could happen. We welcome it. The memo speaks for itself as to what happened here."

The memo was written May 14, then updated and sent to the Justice Department in Washington with a cover letter dated June 3. It says the U.S. Attorney's Office in January 1986 began investigating a variety of charges involving convicted drug dealers who claimed to have worked for Contra groups.

Law enforcement officials in Miami traveled to Costa Rica to interview mercenaries arrested there who claimed knowledge of Contra gun and drug running. They interviewed CIA and Contra officials in Central America, researched Customs Service records of trips made

to the region by those involved, and traced firearms that a convicted drug dealer said he helped fly to the Contras.

"This investigation is by no means complete," the memo said. "However, our inquiry to date has led us to preliminary findings."

Those findings were that the "evidence to date" did not support the claims of convicted drug dealer Jesus Garcia that Contra supporters had plotted the assassination of former Ambassador Lewis Tambs to claim a \$1 million bounty offered by drug dealers.

But the memo said evidence did show that mercenaries were recruited for Contra groups, and that on March 6, 1985, and June 13, 1985, cargo planes were chartered in Fort Lauderdale, Fla., to fly to El Salvador. "Weapons may have been aboard both flights," the memo said, citing possible criminal violations.

Garcia, the primary source of most of the charges, did not pass an

FBI polygraph test, the memo said. And the mercenaries, who were arrested on the ranch of John Hull, an alleged CIA operative in Central America, gave contradictory statements to prosecutors.

Documents obtained by The Washington Times show that some of them, including Steven Carr, Peter Glibbery and John Davies, later swore affidavits in a Costa Rican court that their statements about CIA involvement in gunrunning in Central America were false.

Officials privately say that the men have made so many different

claims about their activities that they have been thoroughly discredited as witnesses.

The FBI did trace firearms that Mr. Carr and Garcia said arrived from pro-Contra groups in Miami, according to the memo. That, and other evidence, led to the memo's conclusion that a few shotguns and semi-automatic rifles may have been flown to Costa Rica from Miami in violation of federal law.

"There is insufficient proof at this time to conclude that weapons were aboard [these] flights. Further investigation may prove these allegations to be correct," it said. "The FBI has requested that we begin a grand jury investigation into the activity described in this memo. The bureau believes that a grand jury is necessary to dispel claims [in the press] that the Department of Justice has not aggressively pursued this matter. Second, a grand jury would eliminate some of the deception they believe they have encountered during their interviews."

But Mr. Feldman wrote, "I conclude that we have sufficient evidence to continue the investigation into the activities described herein. At present, it would be premature to take this matter to a grand jury. Absent further field investigation, a grand jury investigation at this point would represent a fishing expedition with little prospect that it would bear fruit."

The investigation did continue, and in November a grand jury was empaneled, according to sources in Miami. But in Washington talk of a

"cover-up" had begun, much of it generated by Jack Terrell, a mercenary named in the memo who later went to work for Mr. White, sources said.

Mr. White recently sent out a fund-raising letter, accompanied by a plea from Mr. Kerry written on Senate Foreign Relation Committee stationery, claiming, "The FBI, the

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U.S. Attorney's Office and the Department of Justice were informed of [Contra gun and drug smuggling] and blocked further investigation."

High-ranking sources in Miami said Mr. Kellner was so incensed by Mr. White's letter that he considered libel charges.

Mr. Meese has attacked as "ludicrous" an account in the Village Voice, a New York City weekly newspaper, that apparently relied on the memo to conclude he "stopped an explosive arms investigation."

Pat Korten, a Justice Department spokesman, said the memo, "Demonstrates beyond any doubt that while there were statements that bore further investigation, the information at the time of the memo was simply not sufficient to take before a grand jury."